

Union Calendar No. 10

108TH CONGRESS
1ST SESSION

H. R. 13

[Report No. 108–16]

To reauthorize the Museum and Library Services Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. HOEKSTRA (for himself, Mr. BOEHNER, Mr. CASTLE, Mr. GREENWOOD, Mr. SOUDER, Mr. EHLERS, Mr. ISAKSON, Mrs. BIGGERT, Mr. OSBORNE, Mr. WILSON of South Carolina, and Mr. ENGLISH) introduced the following bill; which was referred to the Committee on Education and the Workforce

FEBRUARY 25, 2003

Additional sponsors: Mr. PLATTS, Mr. DEMINT, Mr. HOLT, Mr. MCHUGH, Mr. LANGEVIN, Mr. MATSUI, Mrs. MALONEY, Mr. FRANK of Massachusetts, Mr. SNYDER, Mr. SERRANO, Mr. CLYBURN, Mr. UPTON, Mr. BECERRA, Mr. OWENS, Mr. PETRI, Mr. BEREUTER, Mr. DOYLE, Mr. GORDON, Mr. QUINN, Mr. ENGEL, Ms. SLAUGHTER, Mr. LATOURETTE, Mr. ACKERMAN, Mr. GRIJALVA, Mr. UDALL of Colorado, Mr. BERMAN, Mr. MCINTYRE, Mr. BELL, Mr. FROST, Ms. HART, Mrs. BONO, Mrs. DAVIS of California, Ms. ESHOO, Mr. LOBIONDO, Mr. DUNCAN, Mr. CUNNINGHAM, Mr. SKELTON, Mr. ETHERIDGE, Mr. BLUMENAUER, Mr. BOSWELL, Mr. GREEN of Wisconsin, Mrs. NAPOLITANO, Ms. WATSON, Mr. LANTOS, Mr. JOHNSON of Illinois, Mr. FILNER, Mr. HONDA, Mr. BACA, Mr. BALLENGER, Mr. CARDOZA, Ms. LOFGREN, Mr. ANDREWS, Mr. SHIMKUS, Mr. WAXMAN, Mr. GILLMOR, Mr. SIMMONS, Ms. MCCOLLUM, Mr. SCHROCK, Mr. HINCHEY, Ms. ROYBAL-ALLARD, Mr. NADLER, Mr. DOOLEY of California, Mr. DOOLITTLE, Ms. HARMAN, Mrs. TAUSCHER, Mr. SCHIFF, Mr. THOMPSON of California, Mr. SHERMAN, Mr. MATHESON, Mr. ROGERS of Michigan, Ms. SOLIS, Mr. MCKEON, Mr. WU, Mr. JACKSON of Illinois, Ms. LEE, Mr. CALVERT, Ms. WATERS, Mrs. MILLER of Michigan, Mr. FARR, Mr. McNULTY, Mr. KOLBE, Mrs. CAPPS, Mr. GEORGE MILLER of California, Mr. STARK, Ms. WOOLSEY, Mr. NUNES, Ms. LORETTA SANCHEZ of California, Mr. TIERNEY, Ms. LINDA T. SÁNCHEZ of California, Mr. DAVIS of Illinois, Ms. MILLENDER-

McDONALD, Mrs. WILSON of New Mexico, Mr. VAN HOLLEN, Mr. HOUGHTON, Mr. OLVER, Mr. GALLEGLY, Mr. WALSH, Mr. OSE, Mr. HALL, Mr. WAMP, Mr. BASS, Mr. KENNEDY of Rhode Island, Mr. LYNCH, Mrs. JONES of Ohio, Mrs. LOWEY, Mr. ISSA, Ms. BERKLEY, Mr. SANDERS, Ms. JACKSON-LEE of Texas, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. DREIER, Mr. CRAMER, Ms. HOOLEY of Oregon, Ms. SCHAKOWSKY, and Ms. MCCARTHY of Missouri

FEBRUARY 25, 2003

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To reauthorize the Museum and Library Services Act, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Museum and Library
5 Services Act of 2003”.

6 **TITLE I—GENERAL PROVISIONS**

7 **SEC. 101. GENERAL DEFINITIONS.**

8 Section 202 of the Museum and Library Services Act
9 (20 U.S.C. 9101) is amended—

10 (1) by amending paragraph (1) to read as fol-
11 lows:

12 “(1) DETERMINED TO BE OBSCENE.—The term
13 ‘determined to be obscene’ means determined, in a
14 final judgment of a court of record and of competent
15 jurisdiction in the United States, to be obscene.”;

1 (2) by striking paragraph (4);

2 (3) by redesignating paragraph (3) as para-
3 graph (5);

4 (4) by inserting after paragraph (2) the fol-
5 lowing:

6 “(3) FINAL JUDGMENT.—The term ‘final judg-
7 ment’ means a judgment that is—

8 “(A) not reviewed by any other court that
9 has authority to review such judgment; or

10 “(B) is not reviewable by any other court.

11 “(4) INDIAN TRIBE.—The term ‘Indian tribe’
12 means any tribe, band, nation, or other organized
13 group or community, including any Alaska native
14 village, regional corporation, or village corporation
15 (as defined in, or established pursuant to, the Alas-
16 ka Native Claims Settlement Act (43 U.S.C. 1601 et
17 seq.)), which is recognized by the Secretary of the
18 Interior as eligible for the special programs and
19 services provided by the United States to Indians be-
20 cause of their status as Indians.”; and

21 (5) by adding after paragraph (5) (as so redес-
22 igned) the following:

23 “(6) MUSEUM AND LIBRARY SERVICES
24 BOARD.—The term ‘Museum and Library Services

1 Board' means the National Museum and Library
2 Services Board established under section 207.

3 “(7) OBSCENE.—The term ‘obscene’ means,
4 with respect to a project, that—

5 “(A) the average person, applying contem-
6 porary community standards, would find that
7 such project, when taken as a whole, appeals to
8 the prurient interest;

9 “(B) such project depicts or describes sex-
10 ual conduct in a patently offensive way; and

11 “(C) such project, when taken as a whole,
12 lacks serious literary, artistic, political, or sci-
13 entific value.”.

14 **SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.**

15 Section 203 of the Museum and Library Services Act
16 (20 U.S.C. 9102) is amended—

17 (1) in subsection (b), by striking the last sen-
18 tence; and

19 (2) by adding at the end the following:

20 “(c) MUSEUM AND LIBRARY SERVICES BOARD.—
21 There shall be a National Museum and Library Services
22 Board within the Institute, as provided under section
23 207.”.

1 **SEC. 103. DIRECTOR OF THE INSTITUTE.**

2 (a) COORDINATION OF ACTIVITIES.—Section 204(e)
3 of the Museum and Library Services Act (20 U.S.C.
4 9103(e)) is amended by adding at the end the following:
5 “Where appropriate, the Director shall ensure that activi-
6 ties under subtitle B are coordinated with activities under
7 section 1251 of the Elementary and Secondary Education
8 Act of 1965 (20 U.S.C. 6383).”.

9 (b) REGULATORY AUTHORITY.—Section 204 of such
10 Act (20 U.S.C. 9103) is amended by adding at the end
11 the following:

12 “(f) REGULATORY AUTHORITY.—The Director may
13 promulgate such rules and regulations as are necessary
14 and appropriate to implement the provisions of this title.

15 “(g) APPLICATION PROCEDURES.—

16 “(1) IN GENERAL.—In order to be eligible to
17 receive financial assistance under this title, a person
18 or agency shall submit an application in accordance
19 with procedures established by the Director by regu-
20 lation.

21 “(2) REVIEW AND EVALUATION.—The Director
22 shall establish procedures for reviewing and evalu-
23 ating such applications. Such procedures shall not be
24 subject to any review outside of the Institute. In es-
25 tablishing such procedures, the Director shall ensure
26 that the criteria by which applications are evaluated

1 are consistent with the purposes of this title, taking
2 into consideration general standards of decency and
3 respect for the diverse beliefs and values of the
4 American public.

5 “(3) TREATMENT OF PROJECTS DETERMINED
6 TO BE OBSCENE.—

7 “(A) IN GENERAL.—The procedures de-
8 scribed in paragraph (2) shall include provisions
9 that clearly specify that obscenity is without lit-
10 erary, artistic, political, or scientific merit, and
11 is not protected speech.

12 “(B) PROHIBITION.—No financial assist-
13 ance may be provided under this title with re-
14 spect to any project that is determined to be
15 obscene.

16 “(C) TREATMENT OF APPLICATION DIS-
17 APPROVAL.—The disapproval of an application
18 by the Director shall not be construed to mean,
19 and shall not be considered as evidence that,
20 the project for which the applicant requested fi-
21 nancial assistance is or is not obscene.”.

22 **SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES**
23 **BOARD.**

24 The Museum and Library Services Act (20 U.S.C.
25 9101 et seq.) is amended—

1 (1) by redesignating section 207 as section 208;
2 and

3 (2) by inserting after section 206 the following:

4 **“SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES**
5 **BOARD.**

6 “(a) ESTABLISHMENT.—There is established in the
7 Institute a board to be known as the ‘National Museum
8 and Library Services Board’.

9 “(b) MEMBERSHIP.—

10 “(1) NUMBER AND APPOINTMENT.—The Mu-
11 seum and Library Services Board shall be composed
12 of the following:

13 “(A) The Director.

14 “(B) The Deputy Director for the Office of
15 Library Services.

16 “(C) The Deputy Director for the Office of
17 Museum Services.

18 “(D) 10 members appointed by the Presi-
19 dent, by and with the advice and consent of the
20 Senate, from among individuals who are citi-
21 zens of the United States and who are specially
22 qualified in the area of library services by virtue
23 of their education, training, or experience.

24 “(E) 10 members appointed by the Presi-
25 dent, by and with the advice and consent of the

1 Senate, from among individuals who are citi-
2 zens of the United States and who are specially
3 qualified in the area of museum services by vir-
4 tue of their education, training, or experience.

5 “(2) SPECIAL QUALIFICATIONS.—

6 “(A) LIBRARY MEMBERS.—Of the mem-
7 bers of the Museum and Library Services
8 Board appointed under paragraph (1)(D)—

9 “(i) 5 shall be professional librarians
10 or information specialists, of whom—

11 “(I) at least 1 shall be knowl-
12 edgeable about electronic information
13 and technical aspects of library and
14 information services and sciences; and

15 “(II) and at least 1 other shall be
16 knowledgeable about the library and
17 information service needs of under-
18 served communities; and

19 “(ii) the remainder shall have special
20 competence in, or knowledge of, the needs
21 for library and information services in the
22 United States.

23 “(B) MUSEUM MEMBERS.—Of the mem-
24 bers of the Museum and Library Services
25 Board appointed under paragraph (1)(E)—

1 “(i) 5 shall be museum professionals
2 who are or have been affiliated with—

3 “(I) resources that, collectively,
4 are broadly representative of the cura-
5 torial, conservation, educational, and
6 cultural resources of the United
7 States; or

8 “(II) museums that, collectively,
9 are broadly representative of various
10 types of museums, including museums
11 relating to science, history, tech-
12 nology, art, zoos, botanical gardens,
13 and museums designed for children;
14 and

15 “(ii) the remainder shall be individ-
16 uals recognized for their broad knowledge,
17 expertise, or experience in museums or
18 commitment to museums.

19 “(3) GEOGRAPHIC AND OTHER REPRESENTA-
20 TION.—Members of the Museum and Library Serv-
21 ices Board shall be appointed to reflect persons from
22 various geographic regions of the United States. The
23 Museum and Library Services Board may not in-
24 clude, at any time, more than 3 appointive members
25 from a single State. In making such appointments,

1 the President shall give due regard to equitable rep-
2 resentation of women, minorities, and persons with
3 disabilities who are involved with museums and li-
4 braries.

5 “(4) VOTING.—The Director, the Deputy Direc-
6 tor of the Office of Library Services, and the Deputy
7 Director of the Office of Museum Services shall be
8 nonvoting members of the Museum and Library
9 Services Board.

10 “(c) TERMS.—

11 “(1) IN GENERAL.—Except as otherwise pro-
12 vided in this subsection, each member of the Mu-
13 seum and Library Services Board appointed under
14 subparagraph (D) or (E) of subsection (b)(1) shall
15 serve for a term of 5 years.

16 “(2) INITIAL BOARD APPOINTMENTS.—

17 “(A) TREATMENT OF MEMBERS SERVING
18 ON EFFECTIVE DATE.—Notwithstanding sub-
19 section (b), each individual who is a member of
20 the National Museum Services Board on the
21 date of the enactment of the Museum and Li-
22 brary Services Act of 2003, may, at the individ-
23 ual’s election, complete the balance of the indi-
24 vidual’s term as a member of the Museum and
25 Library Services Board.

1 “(B) FIRST APPOINTMENTS.—Notwith-
2 standing subsection (b), any appointive vacancy
3 in the initial membership of the Museum and
4 Library Services Board existing after the appli-
5 cation of subparagraph (A), and any vacancy in
6 such membership subsequently created by rea-
7 son of the expiration of the term of an indi-
8 vidual described in subparagraph (A), shall be
9 filled by the appointment of a member de-
10 scribed in subsection (b)(1)(D). When the Mu-
11 seum and Library Services Board consists of an
12 equal number of individuals who are specially
13 qualified in the area of library services and in-
14 dividuals who are specially qualified in the area
15 of museum services, this subparagraph shall
16 cease to be effective and the board shall be ap-
17 pointed in accordance with subsection (b).

18 “(C) AUTHORITY TO ADJUST TERMS.—The
19 terms of the first members appointed to the
20 Museum and Library Service Board shall be ad-
21 justed by the President as necessary to ensure
22 that the terms of not more than 4 members ex-
23 pire in the same year. Such adjustments shall
24 be carried out through designation of the ad-
25 justed term at the time of appointment.

1 “(3) VACANCIES.—Any member appointed to
2 fill a vacancy shall serve for the remainder of the
3 term for which the predecessor of the member was
4 appointed.

5 “(4) REAPPOINTMENT.—No appointive member
6 of the Museum and Library Services Board who has
7 been a member for more than 7 consecutive years
8 shall be eligible for reappointment.

9 “(5) SERVICE UNTIL SUCCESSOR TAKES OF-
10 FICE.—Notwithstanding any other provision of this
11 subsection, an appointive member of the Museum
12 and Library Services Board shall serve after the ex-
13 piration of the term of the member until the suc-
14 cessor to the member takes office.

15 “(d) DUTIES AND POWERS.—

16 “(1) IN GENERAL.—The Museum and Library
17 Services Board shall advise the Director on general
18 policies with respect to the duties, powers, and au-
19 thority of the Institute relating to museum and li-
20 brary services, including financial assistance award-
21 ed under this title.

22 “(2) NATIONAL AWARDS.—The Museum and
23 Library Services Board shall assist the Director in
24 making awards under section 209.

1 “(e) CHAIRPERSON.—The Director shall serve as
2 Chairperson of the Museum and Library Services Board.

3 “(f) MEETINGS.—

4 “(1) IN GENERAL.—The Museum and Library
5 Services Board shall meet not less than 2 times each
6 year and at the call of the Director.

7 “(2) VOTE.—All decisions by the Museum and
8 Library Services Board with respect to the exercise
9 of its duties and powers shall be made by a majority
10 vote of the members of the Board who are present
11 and authorized to vote.

12 “(g) QUORUM.—A majority of the voting members of
13 the Museum and Library Services Board shall constitute
14 a quorum for the conduct of business at official meetings,
15 but a lesser number of members may hold hearings.

16 “(h) COMPENSATION AND TRAVEL EXPENSES.—

17 “(1) COMPENSATION.—Each member of the
18 Museum and Library Services Board who is not an
19 officer or employee of the Federal Government may
20 be compensated at a rate to be fixed by the Presi-
21 dent, but not to exceed the daily equivalent of the
22 maximum annual rate of pay authorized for a posi-
23 tion above grade GS–15 of the General Schedule
24 under section 5108 of title 5, United States Code,
25 for each day (including travel time) during which

1 such member is engaged in the performance of the
2 duties of the Museum and Library Services Board.
3 Members of the Museum and Libraries Services
4 Board who are full-time officers or employees of the
5 Federal Government may not receive additional pay,
6 allowances, or benefits by reason of their service on
7 the Board.

8 “(2) TRAVEL EXPENSES.—Each member of the
9 Museum and Library Services Board shall receive
10 travel expenses, including per diem in lieu of subsist-
11 ence, in accordance with applicable provisions under
12 subchapter I of chapter 57 of title 5, United States
13 Code.

14 “(i) COORDINATION.—The Director, with the advice
15 of the Museum and Library Services Board, shall take
16 steps to ensure that the policies and activities of the Insti-
17 tute are coordinated with other activities of the Federal
18 Government.”.

19 **SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.**

20 The Museum and Library Services Act (20 U.S.C.
21 9101 et seq.) is amended by inserting after section 208
22 (as redesignated by section 104 of this Act) the following:

23 **“SEC. 209. AWARDS.**

24 “The Director, with the advice of the Museum and
25 Library Services Board, may annually award National

1 Awards for Library Service and National Awards for Mu-
2 seum Service to outstanding libraries and outstanding mu-
3 seums, respectively, that have made significant contribu-
4 tions in service to their communities.

5 **“SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY**
6 **SERVICES.**

7 “From amounts described in sections 214(c) and
8 275(b), the Director shall carry out and publish analyses
9 of the impact of museum and library services. Such anal-
10 yses—

11 “(1) shall be conducted in ongoing consultation
12 with—

13 “(A) State library administrative agencies;

14 “(B) State, regional, and national library
15 and museum organizations; and

16 “(C) other relevant agencies and organiza-
17 tions;

18 “(2) shall identify national needs for, and
19 trends of, museum and library services provided with
20 funds made available under subtitles B and C;

21 “(3) shall report on the impact and effective-
22 ness of programs conducted with funds made avail-
23 able by the Institute in addressing such needs; and

1 “(4) shall identify, and disseminate information
2 on, the best practices of such programs to the agen-
3 cies and entities described in paragraph (1).”.

4 **TITLE II—LIBRARY SERVICES** 5 **AND TECHNOLOGY**

6 **SEC. 201. PURPOSE.**

7 Section 212 of the Library Services and Technology
8 Act (20 U.S.C. 9121) is amended by striking paragraphs
9 (2) through (5) and inserting the following:

10 “(2) to promote improvement in library services
11 in all types of libraries in order to better serve the
12 people of the United States;

13 “(3) to facilitate access to resources in all types
14 of libraries for the purpose of cultivating an edu-
15 cated and informed citizenry; and

16 “(4) to encourage resource sharing among all
17 types of libraries for the purpose of achieving eco-
18 nomical and efficient delivery of library services to
19 the public.”.

20 **SEC. 202. DEFINITIONS.**

21 Section 213 of the Library Services and Technology
22 Act (20 U.S.C. 9122) is amended—

23 (1) by striking paragraph (1); and

24 (2) by redesignating paragraphs (2) through
25 (6) as paragraphs (1) through (5), respectively.

1 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 214 of the Library Services and Technology
3 Act (20 U.S.C. 9123) is amended—

4 (1) by amending subsection (a) to read as fol-
5 lows:

6 “(a) IN GENERAL.—There are authorized to be ap-
7 propriated to carry out this subtitle \$210,000,000 for fis-
8 cal year 2004 and such sums as may be necessary for fis-
9 cal years 2005 through 2009.”; and

10 (2) in subsection (c), by striking “3 percent”
11 and inserting “3.5 percent”.

12 **SEC. 204. RESERVATIONS AND ALLOTMENTS.**

13 Section 221(b)(3) of the Library Services and Tech-
14 nology Act (20 U.S.C. 9131(b)(3)) is amended to read as
15 follows:

16 “(3) MINIMUM ALLOTMENTS.—

17 “(A) IN GENERAL.—For purposes of this
18 subsection, the minimum allotment for each
19 State shall be \$340,000, except that the min-
20 imum allotment shall be \$40,000 in the case of
21 the United States Virgin Islands, Guam, Amer-
22 ican Samoa, the Commonwealth of the North-
23 ern Mariana Islands, the Republic of the Mar-
24 shall Islands, the Federated States of Micro-
25 nesia, and the Republic of Palau.

1 “(B) Ratable reductions.—Notwith-
2 standing subparagraph (A), if the sum appro-
3 priated under the authority of section 214 and
4 not reserved under subsection (a) for any fiscal
5 year is insufficient to fully satisfy the require-
6 ment of subparagraph (A), each of the min-
7 imum allotments under such subparagraph shall
8 be reduced ratably.

9 “(C) Exception.—

10 “(i) In general.—Notwithstanding
11 subparagraph (A), if the sum appropriated
12 under the authority of section 214 and not
13 reserved under subsection (a) for any fiscal
14 year exceeds the aggregate of the allot-
15 ments for all States under this subsection
16 for fiscal year 2003—

17 “(I) the minimum allotment for
18 each State otherwise receiving a min-
19 imum allotment of \$340,000 under
20 subparagraph (A) shall be increased
21 to \$680,000; and

22 “(II) the minimum allotment for
23 each State otherwise receiving a min-
24 imum allotment of \$40,000 under

1 subparagraph (A) shall be increased
2 to \$60,000.

3 “(ii) INSUFFICIENT FUNDS TO AWARD
4 ALTERNATIVE MINIMUM.—If the sum ap-
5 propriated under the authority of section
6 214 and not reserved under subsection (a)
7 for any fiscal year exceeds the aggregate of
8 the allotments for all States under this
9 subsection for fiscal year 2003 yet is insuf-
10 ficient to fully satisfy the requirement of
11 clause (i), such excess amount shall first
12 be allotted among the States described in
13 clause (i)(I) so as to increase equally the
14 minimum allotment for each such State
15 above \$340,000. After the requirement of
16 clause (i)(I) is fully satisfied for any fiscal
17 year, any remainder of such excess amount
18 shall be allotted among the States de-
19 scribed in clause (i)(II) so as to increase
20 equally the minimum allotment for each
21 such State above \$40,000.

22 “(D) SPECIAL RULE.—

23 “(i) IN GENERAL.—Notwithstanding
24 any other provision of this subsection and
25 using funds allotted for the Republic of the

1 Marshall Islands, the Federated States of
2 Micronesia, and the Republic of Palau
3 under this subsection, the Director shall
4 award grants to the United States Virgin
5 Islands, Guam, American Samoa, the Com-
6 monwealth of the Northern Mariana Is-
7 lands, the Republic of the Marshall Is-
8 lands, the Federated States of Micronesia,
9 or the Republic of Palau to carry out ac-
10 tivities described in this subtitle in accord-
11 ance with the provisions of this subtitle
12 that the Director determines are not incon-
13 sistent with this subparagraph.

14 “(ii) AWARD BASIS.—The Director
15 shall award grants pursuant to clause (i)
16 on a competitive basis and pursuant to rec-
17 ommendations from the Pacific Region
18 Educational Laboratory in Honolulu, Ha-
19 waii.

20 “(iii) ADMINISTRATIVE COSTS.—The
21 Director may provide not more than 5 per-
22 cent of the funds made available for grants
23 under this subparagraph to pay the admin-
24 istrative costs of the Pacific Region Edu-

1 cational Laboratory regarding activities as-
2 sisted under this subparagraph.”.

3 **SEC. 205. STATE PLANS.**

4 Section 224 of the Library Services and Technology
5 Act (20 U.S.C. 9134) is amended—

6 (1) in subsection (a)(1), by striking “not later
7 than April 1, 1997.” and inserting “once every 5
8 years, as determined by the Director.”; and

9 (2) in subsection (f)—

10 (A) by striking “this Act” each place such
11 term appears and inserting “this subtitle”;

12 (B) in paragraph (1), by striking “1934,”
13 and all that follows through “Act, may” and in-
14 serting “1934 (47 U.S.C. 254(h)(6)) may”; and

15 (C) in paragraph (7)—

16 (i) in the matter preceding subpara-
17 graph (A), by striking “section:” and in-
18 serting “subsection:”; and

19 (ii) in subparagraph (D), by striking
20 “given” and inserting “applicable to”.

21 **SEC. 206. GRANTS TO STATES.**

22 Section 231 of the Library Services and Technology
23 Act (20 U.S.C. 9141) is amended—

24 (1) in subsection (a), by striking paragraphs

25 (1) and (2) and inserting the following:

1 “(1) expanding services for learning and access
2 to information and educational resources in a variety
3 of formats, in all types of libraries, for individuals
4 of all ages;

5 “(2) developing library services that provide all
6 users access to information through local, State, re-
7 gional, national, and international electronic net-
8 works;

9 “(3) providing electronic and other linkages
10 among and between all types of libraries;

11 “(4) developing public and private partnerships
12 with other agencies and community-based organiza-
13 tions;

14 “(5) targeting library services to individuals of
15 diverse geographic, cultural, and socioeconomic back-
16 grounds, to individuals with disabilities, and to indi-
17 viduals with limited functional literacy or informa-
18 tion skills; and

19 “(6) targeting library and information services
20 to persons having difficulty using a library and to
21 underserved urban and rural communities, including
22 children (from birth through age 17) from families
23 with incomes below the poverty line (as defined by
24 the Office of Management and Budget and revised
25 annually in accordance with section 673(2) of the

1 Community Services Block Grant Act (42 U.S.C.
 2 9902(2))) applicable to a family of the size in-
 3 volved.”; and

4 (2) in subsection (b), by striking “between the
 5 two purposes described in paragraphs (1) and (2) of
 6 such subsection,” and inserting “among such pur-
 7 poses,”.

8 **SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR**
 9 **COOPERATIVE AGREEMENTS.**

10 Section 262(a)(1) of the Library Services and Tech-
 11 nology Act (20 U.S.C. 9162(a)(1)) is amended by striking
 12 “education and training” and inserting “education, re-
 13 cruitment, and training”.

14 **TITLE III—MUSEUM SERVICES**

15 **SEC. 301. PURPOSE.**

16 Section 271 of the Museum and Library Services Act
 17 (20 U.S.C. 9171) is amended to read as follows:

18 **“SEC. 271. PURPOSE.**

19 “It is the purpose of this subtitle—

20 “(1) to encourage and support museums in car-
 21 rying out their public service role of connecting the
 22 whole of society to the cultural, artistic, historical,
 23 natural, and scientific understandings that con-
 24 stitute our heritage;

1 “(2) to encourage and support museums in car-
2 rying out their educational role, as core providers of
3 learning and in conjunction with schools, families,
4 and communities;

5 “(3) to encourage leadership, innovation, and
6 applications of the most current technologies and
7 practices to enhance museum services;

8 “(4) to assist, encourage, and support museums
9 in carrying out their stewardship responsibilities to
10 achieve the highest standards in conservation and
11 care of the cultural, historic, natural, and scientific
12 heritage of the United States to benefit future gen-
13 erations;

14 “(5) to assist, encourage, and support museums
15 in achieving the highest standards of management
16 and service to the public, and to ease the financial
17 burden borne by museums as a result of their in-
18 creasing use by the public; and

19 “(6) to support resource sharing and partner-
20 ships among museums, libraries, schools, and other
21 community organizations.”.

22 **SEC. 302. DEFINITIONS.**

23 Section 272(1) of the Museum and Library Services
24 Act (20 U.S.C. 9172(1)) is amended by adding at the end
25 the following: “Such term includes aquariums, arbore-

1 tums, botanical gardens, art museums, children’s muse-
2 ums, general museums, historic houses and sites, history
3 museums, nature centers, natural history and anthro-
4 pology museums, planetariums, science and technology
5 centers, specialized museums, and zoological parks.”.

6 **SEC. 303. MUSEUM SERVICES ACTIVITIES.**

7 Section 273 of the Museum and Library Services Act
8 (20 U.S.C. 9173) is amended to read as follows:

9 **“SEC. 273. MUSEUM SERVICES ACTIVITIES.**

10 “(a) IN GENERAL.—The Director, subject to the pol-
11 icy advice of the Museum and Library Services Board,
12 may enter into arrangements, including grants, contracts,
13 cooperative agreements, and other forms of assistance to
14 museums and other entities as the Director considers ap-
15 propriate, to pay for the Federal share of the cost—

16 “(1) to support museums in providing learning
17 and access to collections, information, and edu-
18 cational resources in a variety of formats (including
19 exhibitions, programs, publications, and websites)
20 for individuals of all ages;

21 “(2) to support museums in building learning
22 partnerships with the Nation’s schools and devel-
23 oping museum resources and programs in support of
24 State and local school curricula;

1 “(3) to support museums in assessing, con-
2 serving, researching, maintaining, and exhibiting
3 their collections, and in providing educational pro-
4 grams to the public through the use of their collec-
5 tions;

6 “(4) to stimulate greater collaboration among
7 museums, libraries, schools, and other community
8 organizations in order to share resources and
9 strengthen communities;

10 “(5) to encourage the use of new technologies
11 and broadcast media to enhance access to museum
12 collections, programs, and services;

13 “(6) to support museums in providing services
14 to people of diverse geographic, cultural, and socio-
15 economic backgrounds and to individuals with dis-
16 abilities;

17 “(7) to support museums in developing and car-
18 rying out specialized programs for specific segments
19 of the public, such as programs for urban neighbor-
20 hoods, rural areas, Indian reservations, and State
21 institutions;

22 “(8) to support professional development and
23 technical assistance programs to enhance museum
24 operations at all levels, in order to ensure the high-
25 est standards in all aspects of museum operations;

1 “(9) to support museums in research, program
2 evaluation, and the collection and dissemination of
3 information to museum professionals and the public;
4 and

5 “(10) to encourage, support, and disseminate
6 model programs of museum and library collabora-
7 tion.

8 “(b) FEDERAL SHARE.—

9 “(1) 50 PERCENT.—Except as provided in para-
10 graph (2), the Federal share described in subsection
11 (a) shall be not more than 50 percent.

12 “(2) GREATER THAN 50 PERCENT.—The Direc-
13 tor may use not more than 20 percent of the funds
14 made available under this subtitle for a fiscal year
15 to enter into arrangements under subsection (a) for
16 which the Federal share may be greater than 50
17 percent.

18 “(3) OPERATIONAL EXPENSES.—No funds for
19 operational expenses may be provided under this sec-
20 tion to any entity that is not a museum.

21 “(c) REVIEW AND EVALUATION.—

22 “(1) IN GENERAL.—The Director shall establish
23 procedures for reviewing and evaluating arrange-
24 ments described in subsection (a) entered into under
25 this subtitle.

1 “(2) APPLICATIONS FOR TECHNICAL ASSIST-
2 ANCE.—

3 “(A) IN GENERAL.—The Director may use
4 up to 10 percent of the funds appropriated to
5 carry out this subtitle for technical assistance
6 awards.

7 “(B) INDIVIDUAL MUSEUMS.—Individual
8 museums may receive not more than 3 technical
9 assistance awards under subparagraph (A), but
10 subsequent awards for technical assistance shall
11 be subject to review outside the Institute.

12 “(d) SERVICES FOR NATIVE AMERICANS.—From
13 amounts appropriated under section 275, the Director
14 shall reserve 1.75 percent to award grants to, or enter into
15 contracts or cooperative agreements with, Indian tribes
16 and organizations that primarily serve and represent Na-
17 tive Hawaiians (as defined in section 7207 of the Native
18 Hawaiian Education Act (20 U.S.C. 7517)), to enable
19 such tribes and organizations to carry out the activities
20 described in subsection (a).”.

21 **SEC. 304. REPEALS.**

22 Sections 274 and 275 of the Museum and Library
23 Services Act (20 U.S.C. 9174 and 9175) are repealed.

1 **SEC. 305. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 276 of the Museum and Library Services Act
3 (20 U.S.C. 9176)—

4 (1) is redesignated as section 275 of such Act;
5 and

6 (2) is amended, in subsection (a), by striking
7 “\$28,700,000 for the fiscal year 1997, and such
8 sums as may be necessary for each of the fiscal
9 years 1998 through 2002.” and inserting
10 “\$35,000,000 for fiscal year 2004 and such sums as
11 may be necessary for fiscal years 2005 through
12 2009.”.

13 **SEC. 306. SHORT TITLE.**

14 Subtitle C of the Museum and Library Services Act
15 (20 U.S.C. 9171 et seq.) is amended—

16 (1) by redesignating sections 271 through 273
17 as sections 272 through 274, respectively; and

18 (2) by inserting after the subtitle heading the
19 following:

20 **“SEC. 271. SHORT TITLE.**

21 “This subtitle may be cited as the ‘Museum Services
22 Act’.”.

1 **TITLE IV—TECHNICAL CORREC-**
 2 **TIONS; REPEALS; EFFECTIVE**
 3 **DATE**

4 **SEC. 401. TECHNICAL CORRECTIONS.**

5 (a) TITLE HEADING.—The title heading for the Mu-
 6 seum and Library Services Act (20 U.S.C. 9101 et seq.)
 7 is amended to read as follows:

8 **“TITLE II—MUSEUM AND**
 9 **LIBRARY SERVICES”.**

10 (b) SUBTITLE A HEADING.—The subtitle heading for
 11 subtitle A of the Museum and Library Services Act (20
 12 U.S.C. 9101 et seq.) is amended to read as follows:

13 **“Subtitle A—General Provisions”.**

14 (c) SUBTITLE B HEADING.—The subtitle heading for
 15 subtitle B of the Museum and Library Services Act (20
 16 U.S.C. 9121 et seq.) is amended to read as follows:

17 **“Subtitle B—Library Services and**
 18 **Technology”.**

19 (d) SUBTITLE C HEADING.—The subtitle heading for
 20 subtitle C of the Museum and Library Services Act (20
 21 U.S.C. 9171 et seq.) is amended to read as follows:

22 **“Subtitle C—Museum Services”.**

23 (e) CONTRIBUTIONS.—Section 208 of the Museum
 24 and Library Services Act (20 U.S.C. 9106) (as redesign-
 25 nated by section 104 of this Act) is amended by striking

1 “property of services” and inserting “property or serv-
2 ices”.

3 (f) STATE PLAN CONTENTS.—Section 224(b)(5) of
4 the Library Services and Technology Act (20 U.S.C.
5 9134(b)(5)) is amended by striking “and” at the end.

6 (g) NATIONAL LEADERSHIP GRANTS, CONTRACTS,
7 OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of
8 the Library Services and Technology Act (20 U.S.C.
9 9162(b)(1)) is amended by striking “cooperative agree-
10 ments, with,” and inserting “cooperative agreements
11 with,”.

12 **SEC. 402. REPEALS.**

13 (a) NATIONAL COMMISSION ON LIBRARIES AND IN-
14 FORMATION SCIENCE ACT.—Section 5 of the National
15 Commission on Libraries and Information Science Act (20
16 U.S.C. 1504) is amended by striking subsections (b) and
17 (c) and redesignating subsections (d), (e), and (f) as sub-
18 sections (b), (c), and (d), respectively.

19 (b) MUSEUM AND LIBRARY SERVICES ACT OF
20 1996.—Sections 704 through 707 of the Museum and Li-
21 brary Services Act of 1996 (20 U.S.C. 9102 note, 9103
22 note, and 9105 note) are repealed.

23 **SEC. 403. EFFECTIVE DATE.**

24 The amendments made by this Act shall take effect
25 on the date of the enactment of this Act, except that the

- 1 amendments made by sections 203, 204, and 305 shall
- 2 take effect on October 1, 2003.

Union Calendar No. 10

108TH CONGRESS
1ST SESSION

H. R. 13

[Report No. 108-16]

A BILL

To reauthorize the Museum and Library Services
Act, and for other purposes.

FEBRUARY 25, 2003

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed